Area-Wide Soil Contamination Project
Operating Assumptions

Introduction

Soil in large areas of Washington State is contaminated with low-to-moderate levels of contaminants, including arsenic and lead, caused by a range of historical activities. As Washington's population has grown, many of these areas have been developed into residential neighborhoods, schools, and parks. These development activities have created pressures for cleanup and raised a variety of health, environmental, and marketplace concerns. The Departments of Ecology, Health, and Agriculture and the Office of Community Development have chartered a task force to address issues of area-wide soil contamination in Washington State. The Area-Wide Soil Contamination Task Force will work with two work groups and a consultant team to develop recommendations for the chartering agencies by June 2003 on a statewide strategy to respond to area-wide soil contamination problems.

The project will study the nature and geographic extent of area-wide soil contamination in Washington, identify feasible measures to protect human health and the environment, and recommend institutional and/or regulatory changes to improve how area-wide soil contamination problems are addressed. During the course of the project, the Agencies and the consultant team will also develop and implement a public involvement plan to educate the public and provide opportunities for public participation in the project.

The four Agencies have developed a number of operating assumptions that will shape the project.

Operating Assumptions Related to Project Focus

The project is focused on problems associated with widespread areas that have low-to-moderate levels of arsenic and lead soil contamination, largely from historic sources. Each of these elements is discussed below.

Arsenic and Lead: The decision to focus on these two contaminants was based on: (1) evidence that these substances were extensively used by the agricultural community during the first half of the twentieth century; (2) findings that these substances are present in soils in large areas surrounding metal smelters in Western Washington; (3) persistence of these substances in the environment; and (4) available information that indicates these contaminants are present at levels that exceed the residential soil cleanup levels established under the Model Toxics Control Act (MTCA) Cleanup Regulation.

Low-to-Moderate Levels of Widespread Soil Contamination: The project will focus on problems and solutions associated with low-to-moderate levels of widespread soil contamination. The project has been designed based on the assumption that ground water contamination problems are unlikely to be associated with the low-to-moderate concentrations of arsenic and lead.

Although the project is focused on soil contamination, current regulatory and institutional responses to widespread ground water contamination will be evaluated to identify options for responding to widespread soil contamination problems.

Sources: Arsenic and lead soil contamination problems have been caused by releases from industrial facilities, historic agricultural pesticide applications and a variety of other sources (e.g. lead-based paint, leaded gasoline). The primary focus of this project is soil contamination resulting from the first two categories of sources (i.e. industrial releases and historic agricultural activities). In designing the project scope of work, the agencies have assumed that there are many similarities and some differences in the technical and institutional challenges associated with addressing soil contamination problems originating from these three categories of sources.

Issues Beyond the Scope of the Project: There are several issues that are beyond the scope of the Project. These include:

- MTCA Cleanup Standards: The extent of the area-wide lead and arsenic soil contamination problem in Washington is defined by the MTCA Cleanup Standards. Ecology has recently completed a five-year process to review and update those standards. Consequently, the Task Force is not being asked to review and provide recommendations on (1) cleanup standards for individual hazardous substances, (2) the risk policies underlying those standards, or (3) the technical methods used to establish the standards for lead and arsenic.

- Ongoing Projects: There are a number of cleanup and/or development projects where arsenic and lead soil contamination is already an issue. These projects will continue during the Task Force process and the Task Force is not being asked to review and provide recommendations on site-specific problems. However, it is anticipated that these ongoing projects will provide context and learning opportunities for the Task Force.

- Current Agricultural Operations: This project is not designed to address agricultural land that continues to be used for agricultural purposes. The focus is on land that has been converted to other uses and/or land with a high potential for being converted to other uses that may result in people coming into greater contact with any contaminated soils that may exist on these lands.

Operating Assumptions Related to the Role of the Agencies

Multi-Agency Effort: The four Agencies believe that long-term solutions to the problem of widespread low-to-moderate levels of arsenic and lead contamination need to extend beyond traditional ways of addressing soil contamination problems. Consequently, the project has been designed and is being implemented as a multi-agency effort.

Agencies' Relationship to the Task Force: The four Agencies are interested in receiving recommendations from the Task Force on ways to improve how we respond to widespread low-to-moderate levels of arsenic and lead soil contamination. The four Agencies will participate in Task Force deliberations in an ex officio capacity. The roles of the ex officio members include:

(1) provide information to the Task Force as the Task Force formulates findings and recommendations, (2) offer general feedback and reactions to specific options being considered by the Task Force; and (3) gain an insight on the factors considered by the Task Force in preparing individual recommendations. Ex officio members will not be part of the consensus decision-making process leading to the Task Force recommendations.

Operating Assumption Related to the Scope of Task Force Findings and Recommendations

The four Agencies are interested in receiving recommendations on what the Task Force believes should be required, changed, spent or provided in order to improve current responses to soil contamination problems that involve arsenic and lead concentrations above the MTCA cleanup standards. In more specific terms, the four Agencies are interested in receiving recommendations related to the following issue areas:

- What is currently known about the nature and extent of arsenic and lead soil contamination in Washington State? What steps should be taken to improve our understanding on the location of arsenic and lead soil contamination?

- What are technically feasible remedial measures and institutional controls for addressing widespread low-to-moderate soil contamination problems?

- How can agencies address area-wide contamination problems under current legal and regulatory systems? What changes (if any) are needed to optimize agencies' ability to address area-wide contamination problems?

The Agencies have assumed that solutions to the area-wide contamination problem need to extend beyond the traditional ways of dealing with these types of problems (e.g. state and federal cleanup programs). Consequently, decisions on the project scope of work and the selection of Task Force members have been made with an eye towards identifying and evaluating other mechanisms such as improved integration with local land use planning and permitting.

Operating Assumption Related to Timing

The area-wide soil contamination project will begin in early 2002. The Task Force will meet approximately twelve times over eighteen months and issue findings and recommendations in June 2003.